

BOARD OF COUNTY COMMISISONERS  
LEON COUNTY, FLORIDA  
REGULAR MEETING  
FEBRUARY 8, 2005  
**DRAFT**

The Board of County Commissioners of Leon County, Florida, met in regular session with Chairman Thael presiding. Present were Commissioners Proctor, Sauls, Winchester, Rackleff, DePuy, and Grippa. Also present were County Attorney Herb Thiele, County Administrator Parwez Alam, Deputy Clerk Bill Bogan Jr. and Secretary Jennifer Meale.

Invocation was provided by Lillian Bennett, Human Resources Director, at the invitation of Commissioner Grippa. It was followed by the Pledge of Allegiance to the Flag.

**Awards and Presentations**

- Presentation by Earl Daniell on the State World War II Memorial

Mr. Earl Daniell provided an overview of the WWII monument to be erected in front of the R.A. Gray building. By statute, construction must begin by June 30, 2005. The memorial will display the opening and closing dates of WWII and other inscriptions and features recommended by the Florida Commission on Veteran's Affairs in honor of sacrifices made by Florida WWII veterans and those who served on the home front. The memorial has four components: 1) a museum exhibit in the Florida Museum of History; 2) Florida Heritage Trail Guidebook; 3) WWII educational curriculum supplement for high school American History teachers; 4) a stone monument on the Bronough grounds at the R.A. Gray building. Of the four components, only the stone monument remains to be completed. Dedication is targeted for June 6, 2005, the 61<sup>st</sup> Anniversary of the Normandy Invasion. The centerpiece of the monument is a replica of the pillar in the National WWII Memorial in Washington; it includes a marker for each of Florida's 67 counties. These markers reflect the contributions of local Floridians in the war effort. Sponsors' plaques will be mounted on the monument's surrounding wall. Entities contributing \$25,000 or more will receive gold status and entities contributing \$5,000 to \$2,499 will receive silver status.

Commissioner Grippa presented a check in the amount of \$12,500, to be combined with the City of Tallahassee's contribution, to become a gold sponsor. He thanked Guy Thompson of the TDC (Tourist Development Council) for all of his hard work.

- Commissioner Sauls recognized Boy Scout Troop 115 from St. Paul's Methodist Church.

## Consent

Commissioner Sauls moved, duly seconded by Commissioner DePuy and carried unanimously, 6/0 (Commissioner Proctor was out of Chambers), to approve the Consent Agenda with the exception of items 3 and 10, which were pulled for discussion:

1. Approval of Bills and Vouchers Submitted for February 8, 2005, and Pre-approval of Bills and Vouchers Submitted for February 9 through February 21, 2005

The Board approved Option 1: Approve payment of bills and vouchers submitted for approval for February 8, 2005, and pre-approve payment of bills and vouchers for the period February 9, 2005 through February 21, 2005: \$2,076,231.88

2. Ratification of Board Actions Taken at the January 25, 2005 Workshop on the General Facilities and Parks Capital Improvement Program

The Board approved Options 1, 2, 3, 4, and 5: 1) Ratify Board actions taken and direction given at the January 25, 2005 workshop on the General Facilities and Parks Capital Improvement Program; 2) Approve the Resolution and associated Budget Amendment Request which include the following:

- A. Reallocation of \$2,533,201 - \$1.0 million from the DJJ State payment; \$1,278,000 in FY04 Constitutional Officer excess fees; \$80,201 of BOA operating fund balance; and, the proceeds from the Old Bradfordville School Land sale estimated at \$175,000 towards the following projects:

- \$113,332 Bradfordville Community Center
- \$190,283 Miccosukee Community Center
- \$334,208 Woodville Community Center
- \$25,461 Capital Cascades Greenway
- \$11,907 Chaires Community Park
- \$416,396 Northeast Community Park
- \$453,000 Main Library Heating & Cooling
- \$354,000 Health Dept Heating & Cooling
- \$554,413 Courthouse Renovations
- \$80,201 BOA

- 3) Do not authorize staff to proceed with the renovation of the Tharpe Street Facility or alternative leasing options; 4) Authorize the proceeds from the sale of the Old Bradfordville School site to be removed from the flooded acquisition funding list; 5) Direct staff to develop a policy relating to the County's community centers obligations.

3. Request to Schedule a Workshop on the Leon County Jail Issues for Tuesday, April 26, 2005 at 12:00 – 1:30 p.m.

Commissioner Proctor wanted to verify that this item does not deal with building another jail.

Andrea Simpson responded that the item was discussed at the December 13, 2004 retreat, and the construction of another jail was not discussed.

Commissioner Proctor suggested soliciting input from the individual who provided recommendations for Frenchtown, and he asked to see the progress made on her past recommendations.

Commissioner Proctor moved, duly seconded by Commissioner Sauls, to approve Option 1: Schedule a workshop on Leon County Jail Issues for April 26, 2005 from 12:00 to 1:30 p.m.

Commissioner DePuy stated that it was his understanding that the County would work with the Public Safety Coordinating Council and the Sheriff. Expansion was not discussed; rather staffing levels, medical treatment, and concerns about deaths in the jail were addressed.

Chairman Thael asked to incorporate provisions of Alcoholics Anonymous and Narcotics Anonymous meetings with inmates.

Commissioner Grippa directed staff to schedule a workshop on the jail. He wanted to know the impact of the \$600,000 given to the Apalachee Regional Medical Facility for Mental Health Patients and to explore the possibility of a farm program in the jail.

Commissioner DePuy noted the exorbitant cost of retaining inmates in the Leon County jail, and he would like to look at alternative, therapeutic solutions such as initiating a harvest or farm program.

Commissioner Proctor amended his motion, duly seconded by Commissioner Grippa, to move the GEM Permit Process Development and Initiatives Workshop from Tuesday, April 12 to April 26, 2005 and to schedule the Workshop on Leon County Jail Issues for April 12, 2005.

Commissioner Rackleff directed staff to include in the workshop data about crime in Leon County and the trends for the last 10 years. Commissioner Proctor directed staff to include the geographic distribution of crime.

The motion carried unanimously, 7/0.

*The Board entered Citizens to be Heard.*

4. Acceptance of the Lake Bradford Sector Work Plan

The Board approved Option 1: Accept the Lake Bradford Sector Work Plan.

5. Acceptance of the Citizens Water Resources Committee's 2004 Annual Report

The Board approved Option 1: Accept the Leon County County-wide Citizens Water Resources Committee 2004 Annual Report.

6. Approval of the Architectural Design Agreement with EMO Architects, Inc., for the Design of the Lake Jackson Branch Library and Community Center Projects

The Board approved Option 1: Approve an Architectural Design Agreement with EMO Architects, Inc., for design of the Lake Jackson Branch Library and Community Center, in the amount of \$332,338, and authorize the Chairman to execute.

7. Request to Schedule a Workshop on the Investment-Grade Energy Audit of County Facilities for Tuesday, May 10, 2005 from 12:00 – 1:30 p.m.

The Board approved Option 1: Schedule a Board workshop on the Investment-Grade Energy Audit of County Facilities by Energy Systems Group, for Tuesday, May 10, 2005 from 12:00 – 1:30 p.m.

8. Approval of an Agreement for Consulting Services for the Enhancement of the Leon County Geodetic Control Network Between the Leon County Property Appraiser's Office and the Tallahassee-Leon County GIS

The Board approved Options 1 and 2: 1) Approve the Agreement for Consultant Services between Leon County and the Leon County Property Appraiser's Office for the enhancement of the Leon County Geodetic Control Network, and authorize the Chairman to execute; 2) Approve the attached Resolution and associated Budget Amendment Request:

9. Approval of Continuing Supply Agreements to Bound Tree Medical, LLC, Tri-anim Health Services, Inc., and DeKroyft-Metz & Co. for Medical Supplies for Emergency Medical Services (EMS)

The Board approved Option 1: Approve bid awards and Continuing Supply Agreements for medical supplies to Bound Tree Medical LLC, Tri-anim

Health Services, Inc., and DeKroyft-Metz & Co., and authorize the Chairman to execute the Agreements.

10. Acceptance of 2004 Concurrency Management Annual Report

Commissioner Rackleff moved, duly seconded by Commissioner Grippa, to approve Option 1: Accept the 2004 Concurrency Management Annual Report.

Commissioner Rackleff pulled this item for discussion and explained that this item is a continuation of using outmoded performance level service standards, applying only to automobiles. He directed staff to come back with an analysis of what the Board needs to do to change the standards so they are up to date.

Wayne Tedder, Planning Director, stated that if a more walkable type development is provided and the development is brought up to the street, the headway time of the bus route and bus transportation is reduced. In doing so, credit is awarded for transportation impacts to the concurrency management system. Mr. Tedder stated that those are the kinds of changes they would need to see. The change could be enacted through an expansion of policies in the Comp Plan or through an Ordinance provision.

Commissioner Rackleff stated that the system should apply to everything in the Urban Services Area.

The motion carried unanimously, 6/0 (Commissioner Proctor was out of Chambers), with additional direction to staff to return with an analysis of what the Board needs to do to change the standards so they are up to date.

*The Board entered discussion of item 15.*

11. Approval to Enter Into a Twelve-Month Recycling Pilot Program with the Florida Department of Management Services

The Board approved Option 1: Approve the Agreement with the Florida Department of Management Services to pilot a twelve-month recycling program and authorize the Chairman to execute.

12. Approval of the Plat of Oak Grove Plantation, Unit #2

The Board approved Option 1: Approve the Plat of Oak Grove Plantation Unit #2 for recording in the public records.

13. Approval of Enabling Resolution Establishing a Citizens' Focus Group for the Master Planning of the Apalachee Parkway Regional Park

The Board approved Option 1: Approve the attached Enabling Resolution Number R05- establishing the Apalachee Parkway Regional Park Planning Committee, a citizens' focus group for the master planning of the Apalachee Parkway Regional Park.

14. Request to Approve Travel Expenses for Commissioner Rackleff to Attend the National Association of Counties (NACo) Legislative Conference in Washington, D.C. from March 4-8, 2005

The Board approved Option 1: Approve travel expenses.

### **General Business**

15. Approval to Issue Request for Property Proposals (RFPP) for Relocation Sites for Growth and Environmental Management (GEM)

Administrator Alam explained that this item seeks the Board's approval to issue a Request for Property Proposals (RFPP) for the County's Growth and Environmental Management (GEM) offices (Attachment #1).

Commissioner Sauls assumed the Chair so Chairman Thaeli could speak to the issue.

Speakers Rick Bateman representing Jefferson Management, 300 E. Park Ave., and Richard Reeves representing Arbor Properties, 5314 Pinoco Drive, expressed desire to move forward and to present buildings.

Chairman Thaeli stated that the Development Resource Center in Chattanooga, Tennessee is the pinnacle of development buildings. Chairman Thaeli stated that the building is downtown and built to high standards; however, its most significant aspect is the inclusion of City and County under one roof. The building incorporated the City and County planning departments, permitting, planning commission offices, and growth management departments. Chairman Thaeli suggested using the Chattanooga Development Resource Center as a model for a functional consolidated building that supports the development industry.

Wayne Tedder elaborated that in addition to the Growth Management Departments, there is also Public Works and Traffic Engineering for both the City and County. This consolidation would make the permitting process easier for the public. From a customer service perspective, the situation in Chattanooga was a one-stop shop for the development and permitting process. Vincent Long mentioned the additional benefit of

natural efficiencies such as only needing one building crew for maintenance.

Chairman Thael moved, duly seconded by Commissioner Winchester, to continue the approval of the RFP for one month to allow the Chairman the opportunity to discuss the concept of a consolidated building that supports the development industry with the Mayor to determine whether a functional consolidation of this nature is possible.

Commissioner Grippa moved to amend the motion to remove the square footage minimum and maximum requirements from the RFP. The amendment died for lack of a second. Commissioner Grippa asked Chairman Thael to allow the RFP to move forward without any limitations on square footage to expedite the process while the Chairman negotiates with the Mayor.

Chairman Thael wanted to ensure that if the concept were received favorably by the Mayor, the County could still accomplish the consolidated building with the current language in the RFP.

Administrator Alam responded that with a few minor changes, including changing the square footage requirements, the County could still accomplish its goals.

Chairman Thael withdrew the original motion and moved, duly seconded by Commissioner Grippa, to approve the issuance of the proposed RFP, changing the square footage requirements; to address the possibility of a reconstructed building; to provide for the opportunity for a joint RFP with the City; and to authorize the Chairman to present the concept to the Mayor or other format and bring back a recommendation on the City's interest.

The Board entered brief discussion regarding the possibility of one or more buildings, leaving the option open.

Commissioner Grippa directed staff to choose the minimum reasonable square footage.

Chairman Thael directed Administrator Alam to make the RFP concurrent with the intent of the concept.

Commissioner Winchester voiced preference for a downtown or redevelopment location, and he suggested an RFQ in the future.

The motion carried unanimously, 7/0.

16. Consideration to Support the Riley House's 2005 State Legislative Budget Request to Establish a Florida African American Heritage Network

This agenda item requests Board consideration of the Riley House's 2005 state appropriation request to fund a "Florida African-American Heritage Network" (Attachment #1).

Speaker Althemese Barnes of the Riley House, 2619 Summerwood Ave., explained that the Riley House serves the entire state, making the County a Mecca for tourism. Through the work with a Florida statewide network, est. 1997, they provide technical assistance to individuals and organizations. Ms. Barnes asked the Board to make the Riley House community issue a priority.

Ms. Barnes submitted an in-depth synopsis of the community budget issue to support the Riley Center/Museum and statewide network.

Speaker Anthony Dixon, 1886-B Larette Drive, is the archivist and historian at Riley House. Mr. Dixon stated that the Riley House mission is to serve the students at TCC, FSU, and FAMU and to provide service to the community. He noted that the Riley House is a place for the community to preserve its history. Regarding future endeavors, Mr. Dixon stated that they would like to digitize their collections and link with other museums in the state.

Speaker Patsy Eckels, lobbyist and Board member at the Riley House, stated that she attempted to secure \$250,000 of state funds since the Riley House is a state-wide resource. However the Tallahassee location makes it a significant local item as well. Ms. Eckels stated that the Riley House was successful with the budget while it stayed with the Legislature with the help of Curtis Richardson and Senator Al Lawson. Once through the legislative process and reviewed by the Governor's office, the funding was blocked because it had not initiated in the state agency's budget. Ms. Eckles stated that the same state agency, Department of the State, verbally continues to give support for the project, but is limited in what it can request based on the guidelines that the state has for state agencies. Ms. Eckles disclosed that once again, the Riley House has requested and is using the local delegation to submit the formal request for this item. The Riley House came to the Board to ask for assistance in their efforts to get the issue through the legislature and to the attention of the Governor. In doing so, the Riley House hopes that instead of being a Department of the State issue, they will work in a partner relationship with TCC, funded as part of a larger African-American preservation area that TCC will support. Ms. Eckles asked the Chairman to put the item on the Leon County agenda for their lobbying efforts as they go before the legislature.



Commissioner DePuy moved and was duly seconded by Commissioner Winchester to support the Riley House's State Appropriations Request for \$340,000 in funding (for the Florida African-American Heritage Network) and ask the Chairman to write a letter of support to the Florida Legislature.

Chairman Thael suggested that the maker of the motion include direction to the lobbying team to make this item a priority for the Leon County Legislative consulting team in the 2005 State Legislative Budget. The maker of the motion accepted the amendment.

The motion on the floor (to support the funding request, ask the Chairman to write a letter of support to the Florida Legislature and for the lobbying team to make this item a priority), carried unanimously, 7/0.

*The Board entered Citizens to be Heard on Non-Agendaed Items.*

**Citizens to be Heard on Non-Agendaed Items**

- a. Carol Kio-Green, 4823 Sullivan Rd., addressed item 4: Acceptance of the Lake Bradford Sector Work Plan. Ms. Kio-Green stated the following problems with the Sector Work Plan: 1) the sector work plan did not encompass the Cascade Lake area, yet there are references to Cascade Lake; 2) when looking at a sector plan that involves water quality issues for a lake system that involves land use planning and protecting the lake system, there should be notice to those people who live on Lake Cascade; and 3) overall lack of public input.

*The Board then recognized Commissioner Proctor on Consent Item #3.*

- b. Rev. William Foutz, 6504 N. Meridian Road, represented the Frenchtown Homeowners Association, appeared and expressed community concern over the pending construction of a cellular tower next to a residential area—less than 15 ft. from apartments. Rev. Foutz requested a copy of the County Ordinance that would apply to the cellular tower.

Rev. Foutz circulated a petition with approximately 140 signatures indicating objection to the cellular tower in the Frenchtown area. He also submitted a project description of the tower and a copy of a zoning ordinance addressing the construction of communication support structures and antennas.

Commissioner Proctor asked the County Attorney Thiele to opine on the role the County has on permitting in City limits. The County Attorney responded that the County has no permitting power over the city.

Chairman Thaeli asked if there were ways to camouflage the structure. Rev. Foutz stated that the City is planning to camouflage the tower with an American flag.

Chairman Thaeli stated that he would convey his personal concerns to the Mayor.

Commissioner Proctor stated that an American flag is not camouflage and would like to find an historic marker, thus prohibiting construction.

Wayne Tedder stated that the Commissioners' points are under consideration. Mr. Tedder explained that Frenchtown is in the Florida Front Porch Community—where there are revitalization efforts and any construction needs to fit into the community. The camouflage will be addressed by the DRC (Development Review Committee), of which the Planning Department is a member. Mr. Tedder stated that there is the possibility of co-location with another tower for servicing the area. Mr. Tedder has contacted the City Neighborhood and Community Services Director and has indicated that the tower is an issue.

Commissioner Proctor moved, duly seconded by Commissioner Winchester and carried unanimously, 5/0 (Commissioners Grippa and Rackleff were out of Chambers), to authorize the Chairman to send a letter to the City Commission addressing the Board's concerns regarding the construction of a cellular tower in Frenchtown.

#### **Scheduled Public Hearings, 6 p.m.**

17. First and Only Public Hearing to Receive Additional Bids, and to Award Purchase and Sale Agreement Regarding the Sale of the Old Bradfordville School Property

Pursuant to legal advertisement, a public hearing was conducted.

This agenda item requests Board approval to conduct the first and only public hearing to receive verbal bids regarding the purchase and sale of the Old Bradfordville School property and to direct the County Administrator to execute a purchase and sale agreement with the bidder the Board deems to be the highest and best.

The County Attorney explained that the bidders must disclose his/her intended use, whether a broker is involved, and his/her bid.

Richard Kearney, 6949 McBride Pt., stated that his intention for the property is investment purposes. Paul Hyatt, 10206 Journeys End, stated that he is a broker and his intention is possibly to build small office space.

Richard Kearney and Paul Hyatt bid on the Old Bradfordville School Property. Mr. Hyatt began the bid at \$167,000. Mr. Hyatt and Mr. Kearney alternated bids, until the property was sold to Mr. Hyatt at \$270,000.

Commissioner Grippa moved duly seconded by Commissioner Winchester and carried unanimously, 7/0, to sell the Old Bradfordville School Property to Mr. Paul Hyatt at the price of \$270,000.

Speaker Carol Kio-Green, 4823 Sullivan Rd., noted that the appraisal of the property a year ago was \$275,000 and questioned why the current appraisal is \$225,000.

18. Continuation of First of Two Public Hearings regarding Proposed Chapter 163 Development Agreement Regarding Hopkins Crossing North 9 (Continued from January 11, 2005)

Pursuant to legal advertisement, a public hearing was conducted.

The Leon County Board of County Commissioners approved a Chapter 163 Development Agreement for the Hopkins Crossing South parcel (the Lowe's super site). This was part of the overall Target Planning Area designation for the development of the intersection of I-10 and Capital Circle Northwest.

Subsequently, the developer of the property now wishes to commence development for the property north of I-10, to be known as Hopkins Crossing North (the North 10 Capital Associates, Ltd., Hopkins property). The Development Agreement would be a step in that process.

At the meeting of the Board of County Commissioners held on January 11, 2005, the Board continued the first public hearing on this matter to February 8, 2005, at 6:00 p.m.

Speaker Gary Yordon, 1306 Tootchin Nene, stated that he would like to conduct the first public hearing. Mr. Yordon stated that the development of property north of I-10 is a natural extension of the development, according to the 163 Agreement. He explained that they have been actively working with staff, and they are trying to look at offsite litigation. Mr. Yordon stated that if by the second public hearing they do not have a document put together, they could continue that hearing.

Commissioner Winchester moved, duly seconded by Commissioner Proctor, to approve Option 1: Conduct first public hearing on the Development Agreement for Hopkins Crossing North and schedule the

second public hearing for the modified date of March 22, 2005 rather than February 22, 2005.

Commissioner Winchester stated that new development is needed in the Target Planning Area. He explained that traffic concurrency, off-site mitigation, and Comp Plan issues can be worked out in the interim.

Commissioner Rackleff opined that it would be preferable to continue the first public hearing and not to leave all issues to the second public hearing. He stated that there should be more information, and the public should have more involvement in the 163 Agreement.

Commissioner Winchester withdrew his original motion and moved, duly seconded by Commissioner Rackleff, to continue the first public hearing to March 22, 2005.

Commissioner Rackleff stated that there is an opportunity to obtain right-of-way and to help facilitate the expansion of Capital Circle.

Mr. Yordan responded that they intend to donate every bit of frontage and right-of-way on the land they own.

Commissioner Winchester withdrew his motion and moved, duly seconded by Commissioner Grippa, to conduct the first public hearing and schedule the second public hearing for March 22, 2005.

Commissioner Proctor referenced the MGT report that disclosed that for every \$1 million spent by Leon County, only .037% is spent with black contractors. He asked whether a sum greater than .037% of the money would be spent with black contractors on the project.

Mr. Yordon replied that the property will consist of four separate parcels with four separate owners, so the development group will not be developing the property. He stated that they will continue to encourage the patronage of black contractors.

Commissioner Grippa opined that the County should not be obligated to build a pond for the stormwater.

Mr. Yordon stated that people varying from environmentalists to developers have concluded that concurrency is stopping urban infill.

Commissioner Rackleff wanted to ensure that the property is intended for mixed-use. Mr. Yordan responded that MCA must go through the PUD process and other permitting.

Commissioner Rackleff directed staff to analyze what the development would cost the County in infrastructure spending and to provide a list of what the developer will pay for and what the County will pay for.

Commissioner Winchester called the motion to question and the motion carried, 5/1 (Commissioner Rackleff opposed and Commissioner Grippa was out of Chambers).

19. Continuation of First and Only Public Hearing to Adopt an Ordinance Amending Chapter 17, Leon County Code of Laws, Providing for Prohibition of Unmuffled Compression or Auxiliary Exhaust Brakes (Continued from January 25, 2005)

Pursuant to legal advertisement, a public hearing was conducted.

This item seeks the Board's approval to conduct the first and only public hearing and to adopt an Ordinance amending Chapter 17 to create a new Article I, Sections 17-1 through 17-2 to the Leon County Code of Laws (Attachment #1).

The County Attorney addressed Commissioner Winchester's request for additional information, stating that they are not able to present that information at the time. He recommended a continuance.

Commissioner Winchester moved, duly seconded by Commissioner DePuy and carried unanimously, 5/0 (Commissioners Grippa and Thael were out of Chambers), to continue item to March 22, 2005.

20. First and Only Public Hearing to Adopt a Proposed Ordinance Amending Chapter 7, Article II of the Code of Laws of Leon County Entitled "Court Filing Fees; Service Charges; Court Costs"

Pursuant to legal advertisement, a public hearing was conducted.

Commissioner Winchester moved, duly seconded by Commissioner Sauls and carried unanimously, 6/0 (Chairman Thael was out of Chambers), to approve Option 1: Conduct the first and only public hearing and adopt the attached Ordinance Number 05-03 amending Chapter 7, Article II, of the Code of Laws of Leon County, entitled "Court Filing Fees; Service Charges; Court Costs."

21. Second and Final Public Hearing to Adopt an Ordinance Providing for a Rezoning of Rural Zoning District to the R-3 Single and Two-Family Zoning District of Property on Tower Road

Pursuant to legal advertisement, a public hearing was conducted.

This agenda item is to conduct the second and final public hearing to adopt an Ordinance providing for the rezoning from the Rural zoning district to the R-3 Single and Two-Family zoning district located on property fronting on the south side of Tower Road (Attachment #1). This rezoning implements Comprehensive Plan Map Amendment 2004-2-M-008. A map of the subject property is included in Attachment #2.

Commissioner Winchester moved, duly seconded by Commissioner Grippa and carried unanimously, 6/0 (Chairman Thael was out of chambers), to approve Option 1: Conduct the second and final public hearing and adopt the attached Leon County Ordinance Number 05-04 amending the Official Zoning Map, to change the zoning to 79 acres from the Rural to the R-3 Single and Two-Family zoning district, based upon the findings of fact and conclusions of law of the Board set forth herein:

22. Second and Final Public Hearing to Adopt a Proposed Ordinance Amending the Land Development Code to Clarify Allowable Density in the Residential Preservation Zoning District

Pursuant to legal advertisement, a public hearing was conducted.

This agenda item is to conduct the second and final Public Hearing and adopt the proposed revisions to the County's Residential Preservation (RP) Zoning District to clarify allowable density (Attachment #1).

Speaker Carol Kio-Green, 4823 Sullivan Rd., referenced the Emerald acres and Parkland Island Farms lawsuits. She stated that the issue was that the County had denied those developments, saying they were incompatible with the surrounding areas. Ms. Kio-Green stated that at the time, there were no standards that supported that claim. She stated that by removing language, it means that if you had two or three neighborhoods and developed at one unit per ten acres in urban fringe and someone came forward with a development plan of one unit per three acres, neighborhoods would say it is incompatible.

County Attorney Thiele stated that RP only exists within the urban services area now. Dave McDevitt, GEM, stated that as a zoning district it appears as an overlay outside the urban services area. It is not an actual zoning district.

Commissioner Winchester moved, duly seconded by Commissioner Grippa and carried unanimously, 7/0, to approve Option 1: Conduct the second and final Public Hearing and adopt the attached Leon County Ordinance Number 05-5 amending the Land Development Regulations to provide clarification regarding allowable density in the Residential Preservation Zoning District:

**County Attorney**

- Showed the Board the \$60 million bond that was issued in 1990-1991 to pay for the Sheriff's office, jail, and many road projects and announced that the bond has been paid-off.

**Discussion items by Commissioners**

**Commissioner Winchester**

- a. Shared a letter he received with the Board regarding the state building disposition process and requested that staff consider surplus lands as well as surplus buildings. Leon County has first dibs on surplus lands and surplus buildings.

Commissioner Winchester noted that the City buys property and sells it to developers and would like to know why the County cannot do the same. Administrator Alam clarified that the City can acquire public property and sell private property, but they cannot acquire and sell state property.

Commissioner Proctor

- a. Addressed the recent bank evaluations and expressed concern regarding the Clerk's selection of Wachovia Bank for the County's banking services. Commissioner Proctor submitted a report from Tallahassee Lender's Consortium and an agenda item from March 25, 2003 "Report on Potential Mortgage Discrimination and Fair Housing Issues in Leon County" containing loan information. Commissioner Proctor noted that the bank which ranked second made 64 loans while the bank that ranked first made 2 loans. He asked that the County send a letter to the Clerk asking the Clerk to reconvene the Review Committee with the new data.

Commissioner Rackleff stated that the important distinction between whether the loans were to purchase a home or refinance a home is not indicated in the report. He added that it would be insufficient to base decisions on the provided data.

Deputy Clerk Bill Bogan stated that the integrity of the process is a great concern. Mr. Bogan clarified that in acquiring South Trust, Wachovia is addressing some of the issues Commissioner Proctor brought forth. He assured the Board that careful and systematic evaluations of all banks were made.

Commissioner Proctor moved to disclose the information to the Clerk and request the Committee to reconvene with the additional data.

The motion failed for a lack of a second.

- b. Commissioner Proctor moved, duly seconded by Commissioner Grippa, and carried unanimously, 7/0, to direct staff to review the Community Human Services Partnership (CHSP) process raised by Healthy Start Coalition. Commissioner Proctor shared two memorandums regarding the Human Services Programs through the Community Human Service Partnership Program.



- c. Commissioner Proctor requested that staff meet with Knight Foundation representatives to discuss the County's support in developing a communications campaign for the *Smart Start* program, a home visitation model to provide parenting, child development and nutrition education to 50 low-income families in the Southside. He stated that the Knight Foundation has invested \$920,000 in Healthy Start to improve the South side with the main focuses on Leonard Wesson and Bond Schools. Commissioner Proctor shared a letter from the Knight Foundation regarding the aforementioned issues.
- d. Commissioner Proctor moved, duly seconded by Commissioner Winchester, to agenda, for Board consideration, providing \$10,000 to host a reception for Florida Association of Counties (FAC) Legislative Day in Tallahassee on March 30, 2005. The Board asked staff to look at all issues; such as, funding through FAC; County's policy regarding alcohol on County property.
- c. Shared the *Tallahassee Democrat* article, "Housing complex offers new plan." He stated that they should ease concurrency, especially on the Woodville Highway.
- d. Requested a resolution honoring the original Lincoln High School classes during Black History Month.
- e. Reminded the Board and public that the Florida Association of Counties Legislative Day is on Wednesday, March 30, 2005. Commissioner Proctor suggested hosting a reception.

Commissioner Proctor moved, seconded by Commissioner Winchester and carried unanimously, 7/0, to agenda hosting Florida Association of Counties reception and direct staff to provide estimate cost of reception.

#### Commissioner Rackleff

- a. Requested staff to provide a map of Hopkins Crossing area.
- b. Requested a 10-minute presentation at the beginning of the next meeting for the downtown improvement authority consultant to present the pedestrian conductivity study results.

#### Commissioner Grippa

- a. Commissioner Grippa moved, duly seconded by Commissioner Rackleff and carried unanimously, 7/0, to agenda a budget discussion item regarding the financial prospectus for Mission San Luis; determine their plans for improvements and what local match might be required for any

grants; and ensure that timing is in accordance with Mission San Luis' needs.

- b. Commissioner Grippa moved, duly seconded by Commissioner Winchester and carried unanimously, 7/0, to waive the \$7,800 Emergency Medical Services (EMS) fee for providing ambulance service to the Red Hills Horse Trials event.
- c. Asked the County Attorney if the County controls the zoning for the state buildings once they are public. The County Attorney responded that the City controls the zoning. Commissioner Grippa directed the County Attorney to consider possible amendments to the Comp Plan to ensure that the County does not get unwanted use in the downtown area.

Chairman Thael

- a. Appointed Dr. Murry Power to the Senior Outreach Advisory Committee without objection.
- b. Requested a resolution honoring Kelly Otte who is retiring as Director of the Refuge House.
- c. Requested a resolution for Florida Law Enforcement Officer of the Year, Chuck Perry.
- d. Addressed the state building disposition issue. EDC, Chamber of Commerce, Representative Ausley's office, and Chairman Thael have signed a document indicating commitment to partnership. They met with the DMS on February 3, 2005 to begin the cooperative planning process and to discuss objectives for the upcoming disposition process. Chairman Thael stated that he would continue to represent the Board.

Chairman Thael submitted a status report of the recent activities that have occurred relating to the State Department of Management Services' proposed disposition of numerous downtown properties.

(It was noted that there has been collaborative efforts by community leaders: Leon County, City of Tallahassee, Leon County School Board, FSU, FAMU, TCC, Economic Development Council, Greater Tallahassee Chamber of Commerce, and State Representative Lorraine Ausley.)

The Board entered lengthy discussion of the following issues: concern over duplicating efforts, payment in lieu of taxes, and concern over sending Chairman Thael and Commissioner DePuy to represent the same issues.

Commissioner Rackleff announced the name of the replacement appointment to the Performing Arts Committee, Valencia Matthews.

- e. Voiced concern regarding the stormwater and maintenance issues of Franklin Blvd. Chairman Thaeff directed staff to bring back a review of the proposed Franklin Blvd., as designed by the engineers, to include some of the staff maintenance issues associated with the blueprint proposal. Chairman Thaeff stated that they did not have the TCC information when they made the vote on Franklin Blvd. and that information was critical. They did not have engineering data on the impacts of stormwater at that time.

*There being no further business to come to the Board the meeting was adjourned at 8:05 p.m.*

APPROVED: \_\_\_\_\_  
Cliff Thaeff  
Chairman

ATTEST:

\_\_\_\_\_  
Bob Inzer  
Clerk of the Circuit Court